



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#23/IPS
11/4/3
Sunder

In re the Application of:

Akio Itoh

Art Unit: 2815

Serial Number: **09/594,091**

Examiner: **Matthew E. Warren**

Filed: **June 15, 2000**

Confirmation No.: **8583**

For: **SEMICONDUCTOR MEMORY DEVICE HAVING PLANARIZED UPPER SURFACE AND A SION MOISTURE BARRIER**

Customer No.: **38834**

**INFORMATION DISCLOSURE STATEMENT WITH STATEMENT
PURSUANT TO 37 CFR 1.97(b)(4)**

Attn: Group Director

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: October 29, 2003

Sir:

The attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached Form PTO-1449. One copy of each of these documents is attached.

This Information Disclosure Statement is submitted before the mailing of a first action after the filing of an RCE.

The undersigned hereby states

The above information is presented so that the Patent and Trademark Office can, in the first instance, determine any materiality thereof to the claimed invention. See 37 CFR 1.104(a) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the

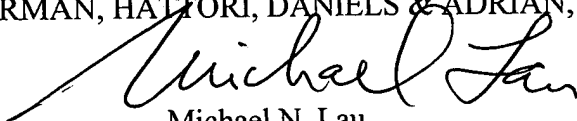
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documents cited in the attached Form PTO-1449 be made of record therein and appear on the first page of any patent to issue therefrom.

A check is attached hereto which covers the \$ 180.00 fee set forth in 37 CFR § 1.17(p). The Commissioner is hereby authorized to charge any additional fee (or credit any overpayment) associated with this Statement to our Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read "Michael N. Lau", is written over the printed name.

Michael N. Lau
Attorney for Applicants
Reg. No. 39,479

MNL/eg

Enclosure: PTO 1449